

Executive Chamber, Annapolis, Md.,

August 4th, 1904.

The Board of Public Works met in the Governor's office this day at Noon. Present: The Governor, Comptroller and Treasurer.

The minutes of the last two meetings were read and approved.

The opinion of the Attorney General in reference to the application of the Balto. Sparrow's Point and Chesapeake Railway Co. for permission to erect certain bridges was received. It is as follows:

"Under the Federal Statutes before any bridge is built over any navigable water the Secretary of War must approve the plans.

If the plans of these bridges which the Electric Railway wishes to build over Jones Creek and the two other streams mentioned in the application, I returned to you yesterday, have been or shall hereafter be approved by the Secretary of War there would be impropriety in the Board of Public Works approving the plans on the strength of this Federal approval of them, if the Board of Public Works sees fit to do so.

Upon motion of the Comptroller, seconded by the Treasurer, the petition was granted upon the condition that the plans be first approved by the United States authorities and that a competent engineer be employed at the expense of the Railway Company, and in accordance with the Attorney General's suggestion to pass upon them. Carried.

The Governor read the following letter from the Attorney General in reference to the proposed sale of the State's interest in the Chesapeake and Ohio Canal.

Sec. 3 of Art. 12 of the State Constitution authorizes the Board of Public Works, subject to such regulations and conditions as may, from time to time, be prescribed by the General Assembly, to sell the State's interest in all works of internal improvements, whether as stockholder or creditor, receiving in payment the bonds and registered debts now owing by the State equal in amount to the price obtained for the State's said interest.

Chap. 310 of the Acts of ~~1892~~ prescribes these regulations: and requires that the interests so sold shall be disposed of by sealed proposals to the highest bidder or bidders, after sixty

days' advertisement. The sealed proposals are to be publicly opened, and the Board of Public Works has the power to reject any and all bids if the price is not satisfactory.

If none of the bids are satisfactory, then the Board of Public Works can, under Sec. 3 of Chap. 310 of the Acts of ~~1892~~¹⁸⁹² sell at private sale for the best price that can be obtained.

The language of the act of Assembly is very simple and clear.

The advertisement for bids should state that the sale is made under Sec. 3, Art. 12 of the State Constitution and in accordance with the regulations prescribed by Chap. 310 of the Acts of 1892. The advertisement should also state that the payment of the purchase price must be made in the bonds or registered debt of the State.

Wm. S. Bryan, Jr."

The Treasurer offered the following resolution:

Resolved, That it is the sense of this Board that it is to the best interest of the State to take steps to dispose of all the State's right, title and interest in the Chesapeake and Ohio Canal, and the Treasurer and Comptroller are hereby requested to prepare suitable advertisements to carry into effect, and to report to the meeting of this Board to be held on September 1st, next, the form prepared, together with all the data gathered and especially the evidences of the State's interest in the Canal property. Seconded by the Comptroller and carried.

The Treasurer moved that the bill of John Waters for \$500.00 for adjusting the insurance on the Burnt Tobacco Warehouses in Baltimore be paid. Seconded by the Comptroller and carried.

The Treasurer reported that he had ascertained that Mr. J. E. Gillingham was the President of the Chesapeake and Delaware Canal Company and moved that the Secretary be instructed to write to Mr. Gillingham and notify him that the State is the owner of ----- shares of stock in that Company, on which no dividends have been paid for many years, and that the Board desires a copy of the last annual statement of the Company so that it may know^{what} the annual receipts and disbursements are.

The following letter from the State Wharfinger was read:

Baltimore, August 3rd, 1904.

Honorable, Board of Public Works,

State of Maryland.

Gentlemen:- Will you kindly let me know how far the wharf at Long Frederick Dock and ~~Frederick~~ Street Dock extend north and south?

On the west side of Long Dock the wharf property runs north to Wood Street and it has a frontage at the foot of Wood Street.

On the Frederick Street side, that is to say the East side of the Dock, the wharf part stops at the curve of the building line of the tobacco warehouse. There is a space between the building line of the tobacco warehouse and the other side of the Street say about thirty five feet.

Now, what I want to know is, does the water front of Wood Street on the east side of Frederick Street Dock belong to the State or not?

The foot of Wood Street on Long Dock has always been considered State property. I claim that both ends of Wood Street belong to the State, Mr. Blake on the other hand, claims that portion of the wharf belongs to a private individual and he claims that he (Blake) rents from this party, which I do not believe.

It is very important that I should know if that portion at foot of Wood Street, east side of Frederick Street Dock belongs to the State or not.

Please let me know at your earliest convenience and oblige,

Your most obedient servant,

A. Cutino, State Wharfinger.

Upon motion, the letter was referred to the Attorney General with the request that he give Mr. Cutino the metes and bounds and courses and distances of the property referred to so that Mr. Cutino can have the geological survey authorities survey the same.

A letter from Mr. Sherlock Swann, Chairman of the Burnt District Commission of Baltimore City was submitted as follows:

Baltimore, Md., July 1st, 1904.

Hon. Edwin Warfield,

Governor of Maryland,

Fidelity Bldg., City.

My dear Sir:

When it is convenient to you and the Board of Public Works, we should like to take up the matter of the purchase of the State's property in the Wharf District.

Will you kindly appoint a time when we can have a conference

upon the subject.

I am,

Very truly yours,

Sherlock Swann, Chairman.

On motion, the Secretary was instructed to say to Mr. Swann that the value of the property would be ascertained as soon as possible, and that consideration of the question raised by him would not be had until after September 1st.

The Board, on motion, adjourned at 1:15 P, M.

Oswald Tilghman, Secretary.

